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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,486	01/12/2001	Daniel Pelletier	US 010002	1745

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PHILIPS ELECTRONICS NORTH AMERICAN CORP  
580 WHITE PLAINS RD  
TARRYTOWN, NY 10591

EXAMINER

LONG, HEATHER R

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/06/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/759,486

Applicant(s)

PELLETIER, DANIEL

Examiner

Heather R Long

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/1-12-2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Page 11, line 6: reference sign "260". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. Claim 8 is objected to because of the following informalities: Examiner thinks that the claim should depend on claim 7 instead of claim 1 since claim 8 states an apparatus and claim 7 is an apparatus claim whereas claim 1 is a method claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 5-8, and 11-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Tucker et al. (U.S. Patent 6,590,604).

Regarding claim 1, Tucker et al. discloses a method of automatically controlling the movements of at least one camera or camera lens to change the perspective of a scene viewed by at least one camera or camera lens, the method comprising the steps of: selecting at least one known sequence of camera parametrics, wherein the parameters provide instruction to control movement of at least one camera or camera lens; determining criteria for executing the selected known sequence of camera parametrics, wherein the criteria are responsive to high level parameters contained in the scene; and adjusting movement of at least one camera or camera lens in response to the determined criteria (col. 3, lines 36-49).

Regarding claim 2, Tucker et al. discloses a method, wherein at least one known sequence of camera parametrics is selected from the group of camera movements including zooming, tilting, panning, and zoom-and-pull-back (col. 3, lines 36-49).

Regarding claim 5, Tucker et al. discloses a method, wherein the high level parameters include speech recognition of objects within a scene (col. 3, lines 36-49).

Regarding claim 6, Tucker et al. discloses a method, wherein the high level parameters include audio inputs of objects within the scene (col. 3, lines 36-49).

Regarding claims **7-8** and **11-12**; these are apparatus claims corresponding to the method claims 1-2 and 5-6. Therefore, claims 7-8 and 11-12 are analyzed and rejected as previously discussed to claims 1-2 and 5-6.

Regarding claims **13-15**, Tucker et al. discloses an apparatus, wherein the means for adjusting the camera movement includes outputting the criteria over a serial connection, parallel connection, or network (col. 3, lines 24-57).

Regarding claims **16-17**, Tucker et al. discloses an apparatus, wherein the camera movement is accomplished electronically or mechanically (col. 3, lines 38-49).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-4 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tucker et al. as applied to claim 1 above, and further in view of Nagata (U.S. Patent 6,157,403).

Regarding claims **3**, Tucker et al. differs from claim 3 in that claim 3 has a method, wherein the high level parameters include the number of objects within the scene.

Referring to the Nagata reference, Nagata discloses in Fig. 22 a method for detecting objects, wherein the high level parameters include the number of objects within the scene (col. 9, line 59 – col. 10, line 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Nagata with Tucker et al. to further allow the camera to move to get a better prospective of the scene according to objects in the room and not only according to speech recognition.

Regarding claim 4, Nagata discloses in Fig. 23 a method for detecting objects, wherein the high level parameters include position of objects within the scene (col. 9, line 59 – col. 10, line 11).

Regarding claims 9-10, these are apparatus claims corresponding to the method claims 3-4. Therefore, claims 9-10 are analyzed and rejected as previously discussed to claims 3-4.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R Long whose telephone number is 703-305-0681. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HRL  
April 2, 2004



NGOC-YEN VU  
PRIMARY EXAMINER